

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

KALVINN JAY GARCIA,

Defendant.

CASE NO. CR21-0012-JCC

ORDER

This matter comes before the Court on Defendant's unopposed motion to continue trial (Dkt. No. 21). Defendant is charged by Indictment with Arson. (Dkt. No. 3.) Trial is scheduled for January 18, 2022. (Dkt. No. 11.) Defendant moves to continue trial to July 18, 2022, citing Defense counsel's need for additional time to review discovery, discuss the case with Defendant, consider options, and prepare for trial. (Dkt. No. 21 at 1–2.)

Having thoroughly considered the motion and the relevant record, the Court FINDS that the ends of justice served by granting a continuance outweigh Defendant and the public's interest in a speedy trial. *See* 18 U.S.C. § 3161(h)(7)(A). Specifically, taking into account the exercise of due diligence, the failure to grant a continuance would deny Defendant's counsel reasonable time necessary for effective preparation, *see* 18 U.S.C. § 3161(h)(7)(B)(iv), and would therefore result in a miscarriage of justice, *see* 18 U.S.C. § 3161(h)(7)(B)(i). Moreover, the additional time requested is a reasonable period of delay.

1 Accordingly, the Court GRANTS Defendant's motion (Dkt. No. 21) and ORDERS:

- 2 1. The January 18, 2022 jury trial is CONTINUED until July 18, 2022.
- 3 2. The pretrial motions deadline is CONTINUED until June 9, 2022.
- 4 3. The period from the date of this order until July 18, 2022 is an excludable time period
- 5 under 18 U.S.C. § 3161(h)(7)(A).

6 DATED this 14th day of December 2021.

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10 John C. Coughenour
UNITED STATES DISTRICT JUDGE